

Town of Nolensville
Planning Commission Meeting
Regular Meeting
February 10, 2005
7:00 P.M.
At Nolensville Elementary School

Members in attendance were as follows: James Clark, Bob Haines, Frank Wilson, Rick Fisher, Willis Wells, Charles Knapper, Larry Gardner, and Jimmy Alexander.

Kristi McArthur was absent.

Staff present: Dana Ausbrooks, Dave Ausbrooks, Richard Woodroof, and Tonia Smith. Bill Terry was absent.

Agenda Item I- Meeting called to order by Chairman Willis Wells

Agenda Item II- Pledge of Allegiance

Agenda Item III- Approval of minutes

James Clark stated on page 3 where Rick Fisher made a motion to approve the Yazdian Property to be rezoned as Commercial Service, that he did not abstain himself, he was against it.

Frank Wilson made a motion to approve the minutes with the change on page 3 to read: Rick Fisher made a motion to approve Yazdian Property to be rezoned as Commercial Services, seconded by Frank Wilson. Motion passed (6) Jimmy Alexander, Willis Wells, Charles Knapper, Rick Fisher, Frank Wilson, and Bob Haines were for approval and (3) Kristi McArthur, Larry Gardner and James Clark against.

Rick Fisher seconded the motion, motion passed unanimously.

Agenda Item IV- Citizen Comments

Kevin Hartman- spokesperson for the homeowners of McFarlin Woods and Cowan Drive- stated he would like to address the Planning Commission in regards to the proposed connection of Cowan Drive, McFarlin Woods with Ballenger Farms. We ask the Planning Commission to consider making Cowan Drive a dead end street and making a cul-de-sac in Ballenger Farms in that portion of the street. There were other concerns that they had:

1. They would like to see larger buffer zone from properties on Cowan Drive against Ballenger Farms.
2. The safety issue with children and walkers.
3. Traffic concerns with no street lights and no stop lights.
4. Property value.

Kevin Hartman also stated they would like the Planning Commission to give the residents on Cowan Drive the same consideration that was given to the residents on Rolling Hills. In closing they have some questions:

1. What are the current plans for Cowan Drive?
2. Can the Planning Commission vote on this issue tonight? If not, when can we get an answer?
3. If this proposal to stop this connection is denied, what further recourse may we take?

Joe Curtsinger -7380 Nolensville Road-stated, "He would like to make the Planning Commission aware of the problems we've had with the overturning of the Planning Commission's recommendation at the second reading of the last ordinance regarding Nolen Park. It does give the appearance of a bit of an arbitrary situation."

Dan Linney – 373 Baronswood Drive- stated he had concerns of the traffic, the speeding down Baronswood Drive, and the safety issues for the children.

Charles Knapper asked Dana Ausbrooks to address these issues.

Dana Ausbrooks asked Richard Woodroof, "What is the current buffer?"

Richard Woodroof stated they had a thirty (30) foot buffer on the back of the lots. From the side where it ties on McFarlin Woods where Cowan Drive connects are a thirty (30) foot on one lot and twenty (20) foot on the other lot.

Dana Ausbrooks asked, "Was that approved by the Planning Commission and the Board of Mayor and Aldermen?"

Richard Woodroof stated they had an approved sketch plan at least two years ago. In November the Planning Commission approved the preliminary plat for Ballenger Farms, phase 2, which connects to Cowan Drive.

Dana Ausbrooks asked, "The approved sketch plan does not call for a cul-de-sac and it calls to go straight through?"

Richard Woodroof stated it shows it going straight through.

Dana Ausbrooks stated that her recommendation to the Planning Commission would be, this action has already been considered and it has been approved to go forward. I don't know that today, while there sounds like there is some citizen concerned about safety, this is not properly before the Planning Commission. The Planning Commission does not have a developer coming in wishing to change the sketch plan. It has already been approved by this body. As far as recourse, the citizens may go to the developer to see if they are willing to make that change.

Charles Knapper stated as far as recourse, the developer would have to come back to the Planning Commission to address the issue.

Jimmy Alexander stated to his knowledge the developer has no intention to come back to the board.

Joe Curtsinger- 7380 Nolensville- stated he had some concerns with the rezoning of property on the corner of Nolensville Road and York Road. This was not in the Town Comprehensive Plan. He also had some concerns about a letter that was sent in about the annexation on the Kellick Property. He could not believe that they expect the Town to have a special called Board of Mayor and Alderman meeting. He welcomes the annexation but he does not want it to affect the budget.

Treva Townsend- 7209 Nolensville Road- stated he would like the Planning Commission to take into consideration the issue of the eight (8) foot wall separating adjacent properties from car washes. He asked the Planning Commission "Is that what they really want, a wall shading the neighbors and opening a lot of area for crime."

Agenda VI- New Business

- a.) Plan of Service for friendly Annexation on Kellick Property & Base Zoning Recommendation.

Richard Woodroof stated this Property is located on Sam Donald Road. They are asking for a friendly annexation. The schedule that was shown was just of a recommendation.

Staff recommendation is for approval and the base zoning to be suburban residential.

Charles Knapper made a motion for approval for the friendly annexation on the Kellick Property with the base zoning to be suburban residential. Jimmy Alexander seconded the motion, motion passed (7) Charles Knapper, Jimmy Alexander, Rich Fisher, Frank Wilson, Willis Wells, Bob Haines, and James Clark were for approval and (1) Larry Gardner was against.

- c.) Nolen Park Final PUD Plan, Covenants, and Restrictions

Richard Woodroof stated he has spoken with Bill Terry and the only thing he had a question on was in the covenants. Somewhere in the covenants, it states that if the property was sold the developer could change the standards. They must go by what has been approved with the Final PUD Plan.

Dave Ausbrooks stated that council has not reviewed the covenants.

Staff recommendation is for approval of the Final PUD Plan.

Bob Haines stated he had two questions: 1. Will the front sign into the subdivision be lit?
2. Are the loops going around one way or two ways?

Ryan Loveless (Civil Site Design Group) stated the sign would be lit, and the loops are going both ways.

Richard Woodroof stated that in the subdivision regulation the access lanes are only sixteen foot wide. He would recommend they be one way.

Bob Haines made a motion to have the access lanes going one way. Frank Wilson seconded the motion, motion passed (7) Charles Knapper, Jimmy Alexander, Rich Fisher, Frank Wilson, Willis Wells, Bob Haines, and Larry Gardner were for approval and (1) James Clark was against.

Willis Wells made a motion for approval of the Final PUD Plan with the conditions of Council's approving the covenants. Frank Wilson seconded the motion, motion passed (6) Charles Knapper, Jimmy Alexander, Frank Wilson, Willis Wells, Bob Haines, and Larry Gardner were for approval, and (2) Rich Fisher and James Clark were against.

b.) Nolen Park PUD Preliminary Plat

Staff recommendation is for approval of the Nolen Park PUD Preliminary Plat.

Bob Haines asked, "What was the final decision of Rolling Hills Drive?"

Ryan Loveless stated at the last Board of Mayor and Alderman meeting they had asked us to not connect the street. There will be a gate for emergency use only and a ten foot asphalt trail.

Frank Wilson made a motion for approval of the PUD Preliminary Plat with the conditions that they work with the Fire and Police Chiefs on the access of Rolling Hills for emergency vehicles. Bob Haines seconded the motion, motion passed (5) Charles Knapper, Jimmy Alexander, Frank Wilson, Willis Wells, and Bob Haines were for approval, and (3) Rich Fisher, Larry Gardner, and James Clark were against.

d.) Corner of York Road and Nolensville Road Rezoning

Staff recommendation is for denial of the rezoning.

Rich Fisher made a motion for denial of the rezoning of property on corner of York Road and Nolensville Road. Bob Haines seconded the motion, motion passed unanimously.

Charles Knapper asked the board if Conditions for Commercial Overlay District could be discussed next on the agenda.

c.) Conditions for Commercial Overlay District

Chairman Willis Wells recused himself from the conditions for commercial overlay district.

There was some heavy discussion on the Conditions for the Commercial Overlay District.

Frank Wilson made a motion to take out artificial stone under materials and colors. Charles Knapper seconded the motion, passed unanimously.

Bob Haines made a motion to accept the conditions for commercial corridor overlay district that Bill Terry submitted with these conditions:

1. Apply to Property fronting Nolensville Road from Oldham Drive to the Northern Boundary of the City Limits.
2. The base zone would have already been zoned commercial.
3. A site plan will have to be submitted with the application of the overlay.

Rick Fisher seconded the motion, passed unanimously. Willis Wells was recused from the vote.

e.) Haley Industrial Park Rezoning

Richard Woodroof stated this is application to rezone four lots (lots 1, 2, 3, & 4) fronting Nolensville Road. The lots are currently zoned Office Industrial. They would like to rezone the front section of lot 1, to Commercial, and keep the back portion Office Industrial.

Staff recommendation is for approval with the commercial overlay applied.

Rick Fisher made a motion to approve rezoning lots 2, 3, 4 and the front portion of lot 1 to Commercial Services with the condition of applying the commercial overlay also. Larry Gardner seconded the motion, passed unanimously.

f.) Rezoning of Parcel 54 and 58.01 on Nolensville Road

Staff recommendation is for approval with the commercial overlay applied.

Larry Gardner made a motion to approve rezoning of map 56, parcel 54 and 58.01 on Nolensville Road to Commercial Services with the condition of applying the commercial overlay also. Rick Fisher seconded the motion, passed unanimously.

g.) Adoption of 2003 International Building Code

Richard Woodroof stated that the Town of Nolensville goes by the 1999 Standard Building Code, 1997 Standard Plumbing, and Mechanical Code. He would like to change it to the 2003 International Codes.

Charles Knapper made a motion to adopt the following:

2003 International Building Code
2003 International Residential Code
2003 International Plumbing Code
2003 International Mechanical Code
2003 International Fuel Gas Code
2003 International Existing Building Code
2003 International Energy Conservation Code
2003 International Property Maintenance Code
2003 International Fire Code
2003 NFPA 101, Life Safety Code
Rick Fisher seconded the motion, passed unanimously.

h.) Bulk Regulation on OSD

Richard Woodroof stated that in the zoning ordinance under the general requirements states one thing and in the Bulk Regulation there is something else. He would like some clarity of this.

Larry Gardner stated, "Could we do away with OSD and PUDS?"

Charles Knapper stated he had spoken with Bill Terry today and he suggested we keep the PUDS because we have a little bit more control over them. He suggested we eliminate the OSD.

Charles Knapper also stated he would like to eliminate the UR zone.

Jimmy Alexander made a motion to eliminate the OSD and UR zone. Larry Gardner seconded the motion.

Bob Haines stated some of his concerns on eliminating the UR zone.

Frank Wilson made a motion to table this discussion on the OSD and UR zone to next month. Larry Gardner seconded the motion. Motion passed (6) Jimmy Alexander, Frank Wilson, Willis Wells, Rick Fisher, Larry Gardner, and Bob Haines were for approval, and (2) Charles Knapper and James Clark were against.

Agenda Item VII- Old Business

a.) Monthly Bond Report

Richard Woodroof stated there were no new bonds to report and the next bond that was due would be in June.

Rick Fisher made a motion to accept the bond report. Jimmy Alexander seconded the motion, passed unanimously.

b.) Car Wash Criteria

Richard Woodroof stated he would like the board to reconsider not having a wall. He also would like the board to clarify on how they would like the vacuum facilities to be enclosed.

Charles Knapper made a motion to amend the car wash criteria by eliminating c. (Walls), eliminate m. (An attendant shall be on site during all hours of operation), making the last sentence letter L. (Buffering is to be determined by staff on a plat to plat basis) and remove vacuum facilities from letter b. Willis Wells seconded the motion, passed unanimously.

d.) Discussion of Driveway Width

Dana Ausbrooks stated that this has already been voted on for Phase 1 in Bent Creek.

Charles Knapper stated that if the board wished to not allow eight foot driveways in Phase 2 of Bent Creek, that could be one of the conditions at that time.

e.) Discussion of Collector Road Definition and cross sections outside of Subdivision

Richard Woodroof stated this was brought up in the last Board of Mayor and Alderman meeting. He would have some definition at the next Planning Commission Meeting.

f.) Nolensville Road Widening Recommendations

Larry Gardner made a motion to recommend Alternative B to the Board of Mayor and Alderman. James Clark seconded the motion, motion passed with (7) James Clark, Bob Haines, Rick Fisher, Willis Wells, Charles Knapper, Larry Gardner, and Jimmy Alexander were for approval. Frank Wilson abstained from the recommendation since his property would be involved.

Agenda Item VIII- Other Business

Charles Knapper stated that someone has brought to his attention, the issue of the mud on the streets. As long as it is in the Town limits, there are ordinances where the Town can force the developers to keep them clean. Outside of the Town limits, we can not enforce our rules.

Charles Knapper also stated that there is a policy for subdivisions under construction, which all vehicles are to park on one side of the road to allow for emergency vehicles access.

Agenda Item VIII- Adjournment

Being no further business to come before the Planning Commission the meeting was adjourned at 9:35 P.M.

Larry Gardner
Secretary for the Planning Commission

Date